

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

BAYER INTELLECTUAL PROPERTY )  
GMBH, BAYER ANIMAL HEALTH )  
GMBH, and BAYER HEALTHCARE LLC, )  
Plaintiffs, )  
v. ) C.A. No. 17-591-RGA  
CAP IM SUPPLY, INC., )  
Defendant. )

**JOINT STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE**

Plaintiffs, Bayer Intellectual Property GmbH, Bayer Animal Health GmbH, and Bayer Healthcare LLC (collectively, “Bayer”), and Defendant, CAP IM Supply, Inc. (“CAP IM”), by and through their respective counsel, have agreed to settle and dismiss this action, as set forth in a Settlement Agreement dated December 21, 2018. Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii) and 41(c), Bayer and CAP IM hereby dismiss all claims and counterclaims against each other with prejudice. The parties shall bear their own costs and attorneys’ fees. The Court shall retain jurisdiction over this matter and the parties to the Settlement Agreement with respect to disputes concerning the interpretation and/or enforcement of the Settlement Agreement.

/s/ Karen E. Keller

John W. Shaw (No. 3362)  
Karen E. Keller (No. 4489)  
David M. Fry (No. 5486)  
SHAW KELLER LLP  
I.M. Pei Building  
1105 North Market Street, 12th Floor  
Wilmington, DE 19801  
(302) 298-0700  
jshaw@shawkeller.com  
kkeller@shawkeller.com  
dfry@shawkeller.com  
*Attorneys for Defendant*

OF COUNSEL:

Robert P.K. Mooney  
RPKM LAW  
1375 N. Mountain Springs Parkway  
Springville, UT 84663  
(801) 836-7023

/s/ Megan Dellinger

Jack B. Blumenfeld (No. 1014)  
Megan Dellinger (No. 5739)  
MORRIS, NICHOLS, ARSHT & TUNNELL LLP  
1201 North Market Street  
P.O. Box 1347  
Wilmington, DE 19899  
(302) 658-9200  
jblumenfeld@mnat.com  
mdellinger@mnat.com  
*Attorneys for Plaintiffs*

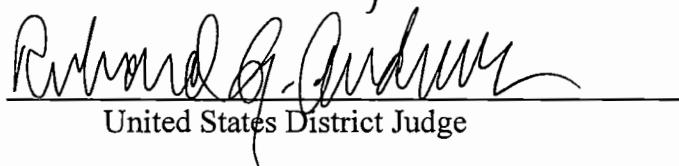
OF COUNSEL:

Gary H. Levin  
Timothy J. Doyle  
Stephanie M. Papastefanou  
Samuel A. McMahon  
BAKERHOSTETLER LLP  
Cira Centre, 12th Floor  
2929 Arch Street  
Philadelphia, PA 19104  
(215) 568-3100  
glevin@bakerlaw.com  
tdoyle@bakerlaw.com  
spapastefanou@bakerlaw.com  
smcmahon@bakerlaw.com

Irene E. Hudson  
BAKERHOSTETLER LLP  
45 Rockefeller Plaza  
New York, NY 10111  
(212) 589-4207  
ihudson@bakerlaw.com

Dated: January 4, 2019

It is so ORDERED, dated this 4 day of January, 2019.

  
United States District Judge